

### **REMARKS**

The Office Action of August 2, 2004 has been reviewed and the comments therein were carefully considered. Claims 1-48 are pending in this application. Claims 1-4, 6-31, 33-48 stand rejected and claims 5 and 32 are objected to.

#### **Claim Objections:**

Claim 23 is objected to because of an informality. Claim 23 has been amended to remove the informality, and reconsideration of this objection is requested. The Applicant also amended Claim 19 to remove an informality.

#### **Rejection under 35 U.S.C. § 112:**

Claims 3, 44, 46, and 47 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3 and 44 have been amended to address the antecedent basis issues identified by the Examiner. Reconsideration of the rejections of claims 3 and 44 on this basis is therefore respectfully requested.

Finally, claim 47 has been canceled to remove the confusion regarding the scope of claim 46 in comparison to claim 47. Reconsideration of the rejection of claims 46 and 47 is respectfully requested.

**Rejections under 35 U.S.C. §103 (a):**

Claims 1, 4, 10, and 12 – 16 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,195,004 B1 (Leonowich) in view of U.S. Pat. No. 5,797,125 (Hirohama). The Applicant respectfully traverses this rejection.

The cited documents, either alone or in combination, do not disclose, teach or suggest the invention claimed in claims 1, 4, 10, or 12-16. As the examiner notes, Leonowich does not disclose, teach or suggest “prioritizing ... based on at least one context value.” And at an even more basic level, Leonowich does not disclose, teach or suggest the “prioritizing” of claim 1. Instead, Leonowich discloses a system for “determining if a received signal should be emitted” (Col. 3, lns. 46-47) based on “assigning different status levels to emitted signals (Col. 3, lns. 51-52). Leonowich further describes:

For example, signal 7 from fire alarm 32 could emit a status 1 signal which would be emitted from every device on the network. Other devices could be assigned different status levels and a threshold status that would have to be met in order for another device’s signal to be transmitted from that device.

(Col. 3, lns. 52-57). Thus, unlike the present invention, Leonowich does not disclose “prioritizing [a] plurality of messages,” but instead discloses a system for determining whether or not a signal from a specific device, in isolation, should be emitted.

As recited in the first sentence of the Abstract, Leonowich discloses a system for alerting an individual that an appliance has completed a specific event. As recited in the Title, Hirohama discloses a video guide system. In order to overcome the admitted deficiencies with Leonowich, the Office Action suggests that it would have some how been obvious to combine the system of Leonowich with the video guide system of Hirohama. The Applicant respectfully submits that Leonowich and Hirohama pertain to entirely different arts and that one of ordinary skill in the art

would not have found it obvious to combine the teachings of the two references.

The Office Action alleges that it would have been obvious to “base the presentation of Leonowich’s EARCON information upon ‘context’-sensitive criteria, as in the Hirohama VOICE GUIDE, for this makes the resulting ‘mobile terminal’ all the more pertinent to individual users.”

The Applicant first notes that this alleged motivation is not found in either reference. Moreover, the Applicant respectfully submits that the Office Action has failed to establish a *prima facie* case of obviousness. It remains unclear and the Office Action does not explain how Leonowich could even be modified to present “EARCON information upon ‘context’-sensitive criteria.” Leonowich discloses providing audio signals to a user when events performed by appliances are completed. (*See* Abstract). An event either occurs and a sound is produced or an event does not occur and no sound is produced. There is simply no suggestion in Hirohama or the Office Action regarding how such a system could be modified to incorporate the step of “prioritizing the plurality of messages to identify at least one message based on at least one context value,” as claimed, or how such a modification would “make the resulting ‘mobile terminal’ all the more pertinent to the individual user.”

Even if Leonowich could somehow be combined with Hirohama, Hirohama does not provide any teachings to cure the deficiencies of Leonowich. Hirohama teaches a “voice guide system which can provide ... a guide in more than one language to be made as required” (Col. 1, lns. 43-48) for “a particular visitor to an exhibition room, event hall, etc.” (Col. 3, lns 64-66). Specifically, Hirohama discloses the means by which a strolling visitor, carrying the terminal unit disclosed, can listen to pre-stored information in his/her native language about a particular exhibition being viewed in a specific exhibit room. Hirohama does not disclose, teach or suggest a method of “prioritizing a plurality of messages...based on at least one context value” to determine which guide information to

provide; on the contrary, specific pre-stored guide information is played based on a visitor's location.

Thus, even if Leonowich and Hirohama were combined, their teachings would not result in the invention of claim 1. Rejected claims 4, 10, and 12-16 each depend from claim 1, and thus are allowable for at least the same reasons as claim 1.

Claims 33 and 48 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Leonowich in view of U.S. Pat. No. 6,404,442 (Hilpert). The Applicant respectfully traverses this rejection. Leonowich and Hilpert, either alone or in combination, do not teach the inventions of claims 33 and 48. As the examiner notes, "Leonowich alone does not fairly teach the correlation of 'visual icons' with 'an associated auditory icon,' to allow the user 'to select at least one of the visual icons' and then hear its 'auditory icon.'" Hilpert discloses a computer system where "sounds are projected or rendered in space surrounding a computer system to provide information concerning various aspects of information displayed on the computer system display screen." (Abstract). It would not have been obvious to one of ordinary skill in the art to combine the teachings of Leonowich with the teachings of Hilpert to arrive at the invention of claim 33 and claim 48 because Leonowich teaches away from the use of visual indicators. (Specifically, Leonowich states:

The same benefit cannot be obtained in a visual indicator environment because an operator has to repeatedly focus attention on a device to look for an indication of a completed task. Also, visual indicators are rendered useless once the operator leaves the room containing the indicator.

(Col. 1, lns. 36-41). Thus, one of ordinary skill in the art would not be motivated to combine the teachings of Hilpert (where sounds are projected corresponding to information displayed on a computer screen) to overcome the delinquencies of Leonowich.

Claims 2-3, 6-9, 11, 17-31, 34-47 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Leonowich in view of Hirohama and Hilpert. The Applicant respectfully traverses

this rejection.

Rejected claims 2-3, 6-9, and 11 each depend from claim 1, and thus are allowable for at least the same reasons as claim 1, discussed above. Furthermore, as discussed above, Leonowich specifically teaches away from the teachings of Hilpert, and thus it would not have been obvious to one of ordinary skill in the art to combine the teachings of Hilpert with Leonowich or Hirohama. Thus, for the additional reasons discussed above with respect to Hilpert, claims 2-3, 6-9, and 11 are allowable. Claims 17-31 and 34-47 are also allowable for at least the reasons discussed above with respect to Hilpert.

**Claim Objections:**

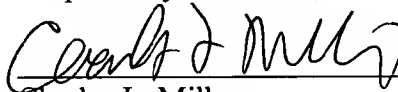
Claims 5, 32 are objected to as being dependent upon a rejected base claim. Claims 5 and 32 depend from claims 1 and 19, respectively, and thus are patentable for at least the reasons discussed above.

**CONCLUSION**

The Applicant respectfully submits that the instant application is in condition for allowance. Should the Examiner believe that a conversation with Applicant's representative would be useful in the prosecution of this case, the Examiner is invited and encouraged to call Applicant's representative.

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Respectfully submitted,



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